

REMARKS/ARGUMENTS

Claims 8-27 are pending in the present application. Claims 8-10 are independent and amended. Claims 11-27 are new. Claims 1-7 are canceled without prejudice to or disclaimer of the subject matter previously recited therein. No new matter has been added.

The courtesies extended to Applicant's representative by Examiner James D. Nigh during the interview held on October 14, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

REJECTIONS UNDER 35 U.S.C. § 101

On pages 2-4, the Office Action rejects claims 1-10 under 35 U.S.C. § 101 as directed to non-statutory subject matter. Applicant respectfully traverses these rejections.

Claims 1-7 are canceled. For claims 8-10, Applicant has amended "unit" to "device," as suggested by Examiner Nigh during the interview on October 14, 2009. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 1-10 under 35 U.S.C. § 101.

REJECTIONS UNDER 35 U.S.C. § 112, ¶2

On pages 4 and 5, the Office Action rejects claims 1-9 under 35 U.S.C. § 112, second paragraph as indefinite. Applicant respectfully traverses these rejections.

Claims 1-7 are canceled. For claims 9 and 10, Applicant has amended “unit” to “device,” as suggested by Examiner Nigh during the interview on October 14, 2009. Accordingly, Applicant respectfully requests withdrawal of the rejections of claims 1-9 under 35 U.S.C. § 112, second paragraph.

REJECTIONS UNDER 35 U.S.C. § 102(b) AND 103(a)

On pages 5-9, the Office Action rejects claims 1, 2, and 4-9 under 35 U.S.C. § 102(e) as anticipated by U.S. Pub. No. 2004/0103312 to Messerges et al. (hereinafter “Messerges”). On pages 9 and 10, the Office Action rejects claim 3 under 35 U.S.C. § 103(a) as unpatentable over Messerges in view of RFC-2459. On pages 10 and 11, the Office Action rejects claim 10 under 35 U.S.C. § 103(a) as unpatentable over Messerges. Applicant respectfully traverses all of these rejections.

As amended, independent claim 8 recites, in part, the following subject matter: “a **plurality** of DRM client devices granted permission by the DRM user device to use a **specific** DDO” (emphasis added). Similar subject matter appears in independent claims 9 and 10. This subject matter finds support in the specification, for example, in paragraph [0051]. Applicant respectfully submits that the

references of record, alone or in combination, fail to disclose, teach, or suggest this subject matter.

On page 5, the Office Action relies upon Messerges for authentication of a DRM client device. However, Applicant respectfully submits that Messerges fails to provide for a DRM user device that grants permission to use a specific DDO to a plurality of DRM client devices. In paragraph [0024], Messerges discloses that the user must register equipment with a key issuer. Thus, Messerges only grants permission to a single registered piece of equipment.

As amended, independent claim 8 recites, in part, the following subject matter: “a first authentication unit that authenticates the DRM client device by the DRM user device” (emphasis added). Similar subject matter appears in independent claims 9 and 10. This subject matter finds support in the specification, for example, in paragraph [0010]. As described in the specification, authentication of the DRM client is relocated to a DRM user device, thereby providing a personal license that can be used with more than one playback device. Applicant respectfully submits that the references of record, alone or in combination, fail to disclose, teach, or suggest this subject matter.

Messerges is related to content sharing among a “domain” of devices, as first defined in paragraph [0003]. Domain information may only be shared over a physical or short-range connection, as further disclosed in paragraph [0028]. As

stated in paragraph [0004], Messerges warns that security of content in a domain is potentially threatened if users can remotely register devices into a domain over a long distance. Thus, Messerges enforces a "close proximity" requirement that teaches away from the claimed subject matter. Moreover, Applicant respectfully submits that Messerges resembles the currently known systems described in paragraph [0044] of the published specification of the present invention. Like those presently known systems, Messerges would limit a client to one particular electronic device or to a group of electronic devices that are "functionally dependent on each other" within a domain.

For the reasons detailed above, Applicant respectfully submits that independent claims 8-10 are allowable over the references of record. Accordingly, Applicant respectfully requests withdrawal of the rejections of claims 8-10 under 35 U.S.C. § 102(b) and 103(a).

NEWLY ADDED CLAIMS 11-27

Claim 11 recites, in part, the following subject matter: "a second authentication unit; and a first revocation list storage unit that stores a revocation list of DRM client devices, wherein the second authentication unit checks the revocation list during authentication of each DRM client device" (emphasis

added). Similar subject matter appears in claims 16 and 21. This subject matter finds support in the specification, for example, in paragraph [0047].

Claim 12 recites, in part, the following subject matter: “a second revocation list storage unit that **updates the revocation list** stored in the first revocation list storage unit in the DRM user device” (emphasis added). Similar subject matter appears in claims 17 and 22. This subject matter finds support in the specification, for example, in paragraph [0049].

Claim 13 recites, in part, the following subject matter: “a third authentication unit that performs **mutual authentication** with a second authentication unit in the DRM user device” (emphasis added). Similar subject matter appears in claims 18 and 23. This subject matter finds support in the specification, for example, in paragraph [0049].

Claim 14 recites, in part, the following subject matter: “a second interface that receives the DROs from the DRM server device after the DRM user device is authenticated and **grants usage rights** for the associated DDO stored on an authenticated DRM client device” (emphasis added). Similar subject matter appears in claim 24. This subject matter finds support in the specification, for example, in paragraph [0053].

Claim 15 recites, in part, the following subject matter: “wherein each DRO represents **exactly one permission** to use the associated DDO” (emphasis added).

Similar subject matter appears in claims 20 and 25. This subject matter finds support in the specification in paragraph [0044].

Claim 19 recites, in part, the following subject matter: “wherein the DRM server device determines a limited number of supported DRM clients that can access the DDOs prior to issuing the DROs to the DRM user device” (emphasis added). Similar subject matter appears in claim 26. This subject matter finds support in the specification, for example, in paragraph [0033].

Claim 27 recites, in part, the following subject matter: “defining each DRO as either transferable or non-transferable” (emphasis added). This subject matter finds support in the specification, for example, in paragraph [0037].

Claims 11-15 depend from independent claim 8, claims 16-20 depend from independent claim 9, and claims 21-27 depend from independent claim 10. Thus, Applicant respectfully submits that claims 21-27 are allowable at least due to their respective dependencies from allowable claims.

CONCLUSION

In view of the remarks above, Applicant believes that each of the rejections and objections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the

telephone, the Examiner is asked to contact the attorney overseeing the application file, Juergen Krause-Polstorff, of NXP Corporation at (408) 474-9062.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
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Date: October 15, 2009

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